

REMARKS/ARGUMENTS

Claims 35 and 44-46 are objected to.

Claims 39 is rejected under 35 U.S.C. 112, first paragraph.

Claims 25-44, and 46-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Himmel et al. (US 6,256,639 B1) in view of Crandall et al. (US 6,321,228 B1).

Claim 39 has been canceled without prejudice.

Claims 35 and 44 have been amended.

Claims 51-58 have been added.

Claims 25-38, 40-44, and 46-58 are now pending.

Support for the newly added claims 51-54 are found in at least the following in the present Application (PCT/US2005/010088):

Claim 51: page 4, lines 21-25;

Claim 52: original claim 14;

Claim 53: original claims 22 and 23; page 10, line 29 to page 11, line 6;

Claim 54: original claim 8; page 14, lines 9 -12;

Claim 55, original claim 21; page 12, lines 27-32; page 20, lines 12-21;

Claim 56, page 16, lines 14-28;

Claim 57, page 18, lines 5-13;

Claim 58, page 27, lines 9-15.

In the Office Action dated October 25, 2011, the Examiner has objected to Claims 35 and 44-46. Accordingly, Claims 35 and 44 have been amended to more clearly point out the invention.

Claim 39 is rejected under 35 U.S.C. 112, first paragraph. Accordingly, Claim 39 has been canceled without prejudice. Withdrawal of this rejection is also requested.

No new matter has been added. Reconsideration of the application, as amended, is respectfully requested.

The Examiner has rejected Claims 25-44, and 46-50 under 35 U.S.C. 103(a) as being unpatentable over Himmel et al. (US 6,256,639 B1) in view of Crandall et al. (US 6,321,228 B1).

Initially, the present invention is directed to, among others, a query-based real-time information dissemination system. See page 3, lines 19-23; page 4, lines 10-31 of the present Application (PCT/US2005/010088).

In contrast, *Himmel* discloses a method for the management and subscription of bookmarks in a browser. It discloses a searchable repository of bookmark sets uploaded by users and stored in a server. Each bookmark set, containing a set of Uniform Resource Locators (URLs) for retrieving web pages, can be downloaded to a client browser. When a search query from a client containing a set of keywords is received by the server, the stored bookmark sets are searched based on the set of keywords. A list of bookmark sets which satisfies the search query is presented to the user. Upon selection by the user, the selected bookmark set(s) are downloaded to the client browser. The downloaded bookmark set(s) can then be used by the client browser to access the URLs in the bookmark set(s). See Abstract, Fig. 5, and Col. 6, lines 62-66 of *Himmel*.

Crandall discloses an online search engine for searching user-specified topics. The system enables Internet users to access selected bookmarks retrieved from result sets derived from earlier search queries, and which tracks and ranks selected Uniform Resource Locators

(URLs) that users deemed valuable to a search query. When an Internet user submits a search query, the search engine 300 creates or constructs three distinct but related queries (i.e., “phrase-match” query, “all-word” query, and “any-word” query) for searching all accessible web sites, a collection database 514 and a rank database 512. The collection database includes a list of collections, i.e., URLs that other users deem relevant to a search topic and that are selected from result sets derived with earlier search queries; the collection database is organized in a folder/file based hierarchical format. The rank database includes URLs for identifying web sites that are bookmarked by other users. Each record in the collection and rank databases has an associated score that is used to organize records retrieved from those databases. See Abstract, Figs. 5 and 8 of *Crandall*. “After queries 504-508 are constructed, search engine 300 searches the collection database 512 and the rank database 514 for any records that satisfy the queries. Collection database 512 contains ‘collections,’ which is a user created folder based on hierarchical format. Each collection contains organized and pre-selected records, related to specific topic, that are derived from earlier searches.” Col. 5, line 65 – Col. 6, line 4 of *Crandall*. The system tracks and ranks each URL based on bookmarking activity performed on the associated web site such that . Col. 6, line 64-65 of *Crandall*. Specifically, a bookmark manager application 516 tracks individually bookmarked web pages, assigns scores to associated URL records and maintains the assign score. Col. 7, lines 4-7. Thus, when the user submits a search query to the system, it returns selected records from the collection and rank databases, in addition to other related web sites from the Internet. See Abstract of *Crandall*.

Importantly, neither *Himmel* nor *Crandall* disclose a query-based real-time information dissemination system that (i) stores a search query from a user, (ii) thereafter continually monitors whether any newly uploaded information responsive to the previously stored query has

been added to the system, and (iii) determines whether the newly uploaded information matches the previously stored search query. In other words, while the present invention, as recited in Claim 25, looks forward in time and returns new information without further user action, the *Himmel* and the *Crandall* systems look for information existing at the time of submission of a search query by the user and return previously stored results (e.g. URLs or bookmarks); the *Himmel* and *Crandall* systems do not forward to their users information that is posted after submission of their search queries. In sum, *Himmel* and *Crandall*, singly or in combination, teaches a query-based real-time information dissemination method that as required by Claim 25.

Claim 25 recites, among other steps:

after storing the query in the system database, continually monitoring by the information exchange to determine whether any newly uploaded information that is responsive to the query stored in the system database has been added to the information exchange by the information sources;

determining at the information exchange whether *the newly uploaded information* from the information sources matches the query *previously stored in the system database*; and

sending, over the Internet, to the user the matched newly uploaded information.

Applicant respectfully submits that *Himmel* and *Crandall* do not disclose or teach at least the above limitations. These references merely disclose how one can improve Internet searching by enhancing the processing and management of previously stored search results in the form of

URLs or bookmarks. They are silent as to the teachings of a query-based real-time information dissemination method.

Examiner has conceded that *Himmel* does not disclose all of the limitations of Claim 25 but apparently contended that *Crandall* teaches the steps of storing the search query and continually monitoring by the information exchange to determine whether any newly uploaded information that is responsive to the query stored in the system database has been added to the information exchange by the information sources, citing Col. 5, line 64-67 and Col. 9, line 4-7 of *Crandall*. After a careful review of these cited passages, Applicant respectfully submits that while *Crandall* teaches the construction of search queries, *Crandall* fails to teach at least the step of continually monitoring by the information exchange to determine whether any newly uploaded information that is responsive to the query stored in the system database has been added to the information exchange by the information sources. Without such step, *Crandall* cannot disseminate to its users real-time information without requiring the user to continually submit search queries to the system.

In summary, a person of ordinary skill in the art cannot combine *Himmel* and *Crandall* references to produce all of the limitations of the query-based real-time information exchange recited in Claim 25 because they solve different problems (e.g. management of bookmarks and organization of prior user search results) and fail to disclose or teach the requisite techniques for such a system.

It is respectfully submitted that Claim 25 has overcome the 103(a) rejection. For the same aforementioned reasons, dependent claims 26-38, 40-44, and 46-58 are also distinguishable over the cited *Himmel* and *Crandall* references. Withdrawal of this rejection is respectfully requested.

Reconsideration and withdrawal of the rejections under 35 U.S.C. §103 are therefore requested, and a notice to that effect is earnestly solicited.

Based on the foregoing amendments and remarks, this application is in condition for allowance. Early passage of this case to issue is respectfully requested.

Respectfully submitted,

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By /Chi Eng/

Chi Eng

Reg. No. 38,870

(646) 770-2347